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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,300	01/30/2004	Daniel J. Ciarcia JR.	SECURE.1000	6330

7590 04/14/2006
Hayes Soloway PC.
175 Canal Street
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EXAMINER

PHAM, TOAN NGOC

ART UNIT PAPER NUMBER

2612

DATE MAILED: 04/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/768,300

Applicant(s)

CIARCIA ET AL.

Examiner

Toan N. Pham

Art Unit

2612

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) 1-32 and 48-78 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-47, 79 and 80 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 33-47, 79 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimmel et al. (US 6,917,288) in view of Yamaashi et al. (US 6,433,687).

Regarding claim 33: Kimmel et al. discloses a monitoring system comprising a map associated with a monitored area, one or more monitoring sensor icons located on the map in a location associated with a monitoring sensor in the monitored area, and one or more event icons located on the map in a location associated with a monitored event in the monitored area (col. 4, lines 25-37; col. 14, lines 9-63; Fig. 1). Kimmel et al. does not disclose a monitoring tag icon located on the map. Yamaashi et al. discloses a mobile control system comprising a monitoring tag icon located on the map in a location associated with at least one monitoring tag (520) in the monitored area wherein the monitoring tags (520) are mobile with respect to the monitored area (col. 13, lines 9-28; Figs. 1, 2, 6 and 10). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a location indication system as taught by Yamaashi et al. in a system as disclosed by Kimmel et al. for displaying the specific location of the monitored mobile tag.

Regarding claim 34: Kimmel et al. discloses the displaying of the text description associated with a specific event (col. 5, lines 15-24; col. 11, lines 5-33).

Regarding claim 35: Kimmel et al. discloses a door monitoring icons located on the map in a location associated with a door monitor in the monitored area (col. 5, lines 3-23).

Regarding claim 36: Kimmel et al. discloses a door monitoring icons also displays a text description associated with a door event (col. 5, lines 3-59; col. 11, lines 5-33).

Regarding claim 37: Kimmel et al. discloses a door monitoring icons are displayed after a door is left ajar, a door is opened, or an individual is loitering near a door (col. 5, line 3-col. 6, line 15).

Regarding claim 38: Kimmel et al. discloses one or more overlay regions on the floor plan each surrounding the one or more monitoring sensor icons wherein the one or more overlay regions are associated with areas monitored by the one or more monitoring sensors in the monitored area (col. 10, lines 54-67).

Regarding claim 39: Kimmel et al. discloses the overlay regions change color in response to a status change (col. 5, lines 60-67; col. 14, lines 10-63; col. 15, lines 16-21).

Regarding claim 40: Kimmel et al. discloses monitoring sensor icons change color in response to a maintenance problem (col. 11, lines 34-60).

Regarding claim 41: Kimmel et al. discloses an alert bar that displays information about a status change (col. 5, lines 50-67).

Regarding claim 42: Kimmel et al. discloses a status log that displays information about prior status changes (col. 4, lines 38-65).

Regarding claim 43: Kimmel et al. discloses a tool bar with drop down menus for accessing controls (Fig. 1).

Regarding claim 44: Kimmel et al. discloses an operating buttons (120, 118) for accessing software controls (Fig. 1).

Regarding claim 45: Kimmel et al. discloses the map and event icons always remain visible (Fig. 1).

Regarding claim 46: Kimmel et al. discloses a user can access any task within two mouse clicks (col. 4, lines 58-65; col. 6, lines 46-51).

Regarding claim 47: Kimmel et al. discloses the map is constructed by a user (col. 10, lines 48-67).

Regarding claim 79: Yamaashi et al. discloses the monitoring tag icons identify the person to which the associated monitoring tag (520) is attached (Figs 8A-8C).

Regarding claim 80: See claims 1 and 37 above.

Response to Amendment

Applicant's arguments with respect to claims 33-47, 79 and 80 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N. Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 11, 2006

TOAN N. PHAM
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Toan N. Pham', written over a horizontal line.